

REMARKS

Claims 1-24 have been examined. Claims 1, 13 and 16 have been amended. Claims 2, 22 and 23 have been canceled. Reconsideration of the claims, as amended, is respectfully requested.

Claims Rejections

Claim 16 was objected to, with the Examiner requesting that the word "by" be removed. According, this term has been removed as requested.

Claim 13 has been objected to, with the Examiner requesting that the word "in" on line 2 be removed. Claim 13 has been amended to remove this term, thereby overcoming this objection.

Claim Rejections - 35 U.S.C. §112

Claim 22 has been rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Claim 22 has been canceled, thereby rendering this rejection moot.

Claim Rejections - 35 U.S.C. §101

Claims 1-24 have rejected under 35 U.S.C. §101 because "a data management system for identifying patterns in data" is recited. However, the Office Action considers this to be software per se. This rejection is respectfully traversed. However, in order to expedite prosecution, claim 1 has been amended to recite that the data management system includes a host computer system having an analysis engine. Hence, this rejection is rendered moot.

Claim Rejections - 35 U.S.C. §102

Claims 1-24 have been rejected under 35 U.S.C. §102(b) as being anticipated by Boe. This rejection is respectfully traversed.

As presently pending, independent claim 1 claims a data management system for identifying patterns in data. This system includes an analysis engine for analyzing relationships

between responses made by a user to questions relating to a service or products, in which the analysis engine analyzes responses made by a user to one or more constructs. Hence, the data management system of claim 1 permits a user to input one or more constructs. These constructs are analyzed for relationships relating to a service or products. Such constructs may comprises attitudinal or opinion giving responses which are founded on psychological theory.

In contrast, the Boe patent describes a system which allows users to adjust sliders with demographic data skills to see what products or services might be interesting for them in "what if" scenarios. Nowhere in the Boe patent is there any mention of permitting a user to enter one or more constructs. Hence, claim 1 is distinguishable over the Boe patent without amendment. Further, as set forth in dependent claim 3, each construct may include two distinct descriptive terms relating to things provided to users by operators of the system. Claim 4 further recites that the descriptive terms of each construct represent contrasting opinions of the thing. In the Office Action, column 5, lines 4-30 are recited to teach such limitations. However, nowhere in these passages is such a teaching or suggestion found.

However, in order to further distinguish the claims, claim 1 has been amended to recite that a process of fuzzy entailment is used by the analysis engine. Nowhere in the Boe patent is there any discussion of using a process of fuzzy entailment. Rather, in column 3, lines 15-22 of the Boe patent, business system 14 is used to communicate a survey system 12 regarding a survey with various preferences. However, such preferences clearly do not use a process of fuzzy entailment. Hence, claim 1 as amended is further distinguishable and in condition for allowance. Claims 3-21 and 24 depend from claim 1 and are distinguishable for at least the same reasons. Hence, it is respectfully requested that the §102 rejection of these claims be withdrawn as well.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

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PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

/darin j gibby/
Darin J. Gibby
Reg. No. 38,464

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 415-576-0300
DJG/cl
60971408 v1